

Broadcasting (Games of National Significance) Amendment Bill (No 2)

Member's Bill

Explanatory note

General policy statement

The purpose of the Bill is to define in law games and sporting events that are to be broadcast live on free-to-air television. This Bill recognises that to support New Zealand teams and other taxpayer-supported events will involve costs of around \$1,000 per household. The objective of this Bill is to break this barrier down so that taxpayers can support New Zealand teams in key events and enjoy events that have come about due to taxpayer support.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides for the Bill to come into force 3 years after the date on which it receives the Royal assent.

Clause 3 provides that this Bill amends the Broadcasting Act 1989 (the **principal Act**).

Clause 4 amends section 2 to insert a definition of game of national significance.

Clause 5 amends section 36 relating to functions of the Broadcasting Commission.

Clause 6 amends section 37 relating to the promotion of New Zealand content.

Clause 7 provides for the making of Orders in Council to amend *new Schedule 1A*.

Clause 8 inserts *new Schedule 1A*, which lists games of national significance that are to be broadcast live and free-to-air.

Clayton Mitchell

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Broadcasting (Games of National Significance) Amendment Act **(No 2) 2018**.

2 Commencement

This Act comes into force 3 years after the date on which it receives the Royal assent.

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3 Principal Act

This Act amends the Broadcasting Act 1989 (the **principal Act**).

4 Section 2 amended (Interpretation)

In section 2(1), insert in its appropriate alphabetical order:

game of national significance means a sporting fixture listed in **Schedule 1A** 5

5 Section 36 amended (Functions of Commission)

(1) After section 36(1)(a)(ii), insert:

(iii) promoting the live broadcast of New Zealand sport; and

(iv) promoting games of national significance; and

(2) After section 36(1)(c)(v), insert: 10

(vi) people without access to subscription based sport; and

6 Section 37 amended (Promotion of New Zealand content in programming)

(1) In section 37(d), replace “music.” with “music; and”.

(2) After section 37(d), insert:

(e) ensure that games of national significance are broadcast live and free-to-air. 15

7 New section 81A inserted (Power to amend Schedule 1A)

After section 81, insert:

81A Power to amend Schedule 1A

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister amend **Schedule 1A** to— 20

(a) replace the name of a game of national significance in recognition of a change in the event’s name; or

(b) insert the name of an event if that event—

(i) has received funding from the Major Events Development Fund; 25
or

(ii) involves the participation of a New Zealand representative sports-person or team who has received support for development funded by way of appropriation administered by a department; or

(c) remove the name of an event. 30

(2) Before making a recommendation under **subsection (1)(b)**, the Minister must consult the Minister for Sport and Recreation and any other person and organisation that the Minister thinks appropriate, having regard to the subject matter of the proposed order.

- (3) An order made under **subsection (1)** is a legislative instrument and a disallowable instrument for the purposes of the Legislation Act 2012 and must be presented to the House of Representatives under section 41 of that Act.

8 Schedule 1A inserted

After Schedule 1, insert the **Schedule 1A** set out in the Schedule of this Act. 5

Schedule
New Schedule 1A inserted

s 8

Schedule 1A
Games of national significance

5

s 2

All Cricket World Cup matches involving New Zealand (adult men and women)

All domestic rugby test matches involving New Zealand

All Football World Cup matches involving the New Zealand All Whites

All Rugby League World Cup matches involving New Zealand

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All Rugby World Cup matches involving New Zealand (adult men and women)

Americas Cup Racing involving a New Zealand Team

ANZ Netball Championship (if a New Zealand team is involved)

Super XV Competition Rugby Final (if a New Zealand team is involved)

TAB racing channels

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The Commonwealth Games

The Summer Olympic Games

The Winter Olympic Games.